

10/534089

## PATENT COOPERATION TREATY

REC'D 02 FEB 2005

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From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)Applicant's or agent's file reference  
see form PCT/ISA/220**FOR FURTHER ACTION**  
See paragraph 2 belowInternational application No.  
PCT/GB2004/004436International filing date (day/month/year)  
21.10.2004Priority date (day/month/year)  
23.10.2003International Patent Classification (IPC) or both national classification and IPC  
F16L25/14Applicant  
JON SHIPMAN CONTRACTING LIMITED

## 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

## 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004436

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

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PCT/GB2004/004436

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

|                               |             |       |
|-------------------------------|-------------|-------|
| Novelty (N)                   | Yes: Claims | 2,5   |
|                               | No: Claims  | 1,3,4 |
| Inventive step (IS)           | Yes: Claims |       |
|                               | No: Claims  | 2,5   |
| Industrial applicability (IA) | Yes: Claims | 1-5   |
|                               | No: Claims  |       |

**2. Citations and explanations**

**see separate sheet**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/004436

Patent document GB-A-2288860 and describes a kit of parts comprising a tubing component (10) having at least two in-line sections with different external diameters (16a,16b,16c) and a set of connection means (see page 5, line 20), each connection means having dimensions such that it may be joined to the tubing component at a respective section.

GB-A-2288860 also describes a method of connecting a tubing component to a pipe comprising the steps of:  
providing a tubing component with at least two in-line sections with different external diameters(16a,16b,16c);  
selecting a section with a substantially similar diameter to that of the pipe;  
if the selected section is not at an end of the tubing component, cutting the tubing component in the vicinity of the selected section so that the selected section is at an end of the tubing component;  
providing set of connection means in a range of sizes;  
selecting a connection means of suitable dimensions for joining to the selected section;  
and  
joining the selected connection means to the tubing component at the selected section.

Thus, the subject-matter of claims 1 and 4 does not meet the requirements of Article 33(2) PCT as it is not new.

The device of GB-A-2288860 is also suitable for use in fabricating an air-conditioning system.

Thus, the subject-matter of claim 3 also does not meet the requirements of Article 33(2) PCT.

Documents GB-A-721656,GB-A-2326453 and GB-A-606658 all describe tubing components having at least two in-line sections with different external diameters and which may be cut to the correct size for connection to a pipe. It is implicit in these documents that such a connection would be made by a suitably sized connection means.

Document DE-C-10013568 shows a press-fitting or locking ring which would be particularly suitable for joining the tubing component of GB-A-721656 to a pipe. Thus, the subject-matter of claims 2 and 5 does not meet the requirements of Article 33(3)

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PCT as it does not involve an inventive step.